

**SYNOPSIS OF PROPOSED CHANGES TO THE
HOUSE RULES OF PROCEDURE
76TH LEGISLATURE - 1999
H.R. 5 by Wilson**

Rule 1--Duties and Rights of the Speaker

1. A provision has been added to the rules to allow the overruling of a point of order raised as to a violation of a provision of the rules governing committee reports, committee minutes, or accompanying documentation if the purpose of the provision has been fulfilled and the violation does not deceive or mislead. This provision is modeled after Rule 12, Section 1(c), which is a provision relating to minor errors in underlining and bracketing requirements that has been contained in the House Rules of Procedure since 1983.
(Rule 1, Section 9 (c)--page 5)

Rule 2--Employees

2. In the section of the rules relating to the duties of the journal clerk, the reference to the one-hour time limit for recording a non-record vote with the journal clerk has been removed. This change was necessary due to the elimination of the one-hour restriction for filing a non-record vote with the journal clerk. Members will now be permitted to file a non-record vote with the journal clerk at any time during that daily session of the house. *See the changes described under Rule 5.*
(Rule 2, Section 2(1)(N)--pages 14-15)

Rule 3--Standing Committees

3. The jurisdictions of the standing committees have been updated to reflect the abolition, creation, and name changes of state agencies by the legislature. A summary of those changes follows:

Section 1. AGRICULTURE AND LIVESTOCK -- The committee's jurisdiction has been updated to reflect the abolition of the Egg Marketing Advisory Board. Jurisdiction has been added over the board of directors of the Texas Boll Weevil Eradication Foundation, Inc., which is now subject to sunset review.

Section 3. BUSINESS AND INDUSTRY -- Jurisdiction over the newly created State Office of Risk Management and the Risk Management Board have been added.

Section 6. CORRECTIONS -- Jurisdiction over the newly created the Private Sector Prison Industries Oversight Authority has been added.

Section 9. ECONOMIC DEVELOPMENT -- The committee's jurisdiction has been updated to reflect the abolition of the Texas Department of Commerce and the creation of the Texas Department of Economic Development. Jurisdiction over the newly created Texas Strategic Economic Development Planning Commission has been added.

Section 11. ENERGY RESOURCES -- The committee's jurisdiction has been updated to reflect the abolition of the Texas Committee on Energy Policy.

Section 12. ENVIRONMENTAL REGULATION -- The committee's jurisdiction has been updated to reflect the abolition of the Pollution Prevention Council.

Section 13. FINANCIAL INSTITUTIONS -- The committee's jurisdiction has been updated to reflect the abolition of the State Depository Board.

Section 22. LICENSING AND ADMINISTRATIVE PROCEDURES. The committee's jurisdiction has been updated to reflect the change in the name of the "State Board of Registration for Professional Engineers" to the "Texas Board of Professional Engineers."

Section 27. PUBLIC HEALTH -- The committee's jurisdiction has been updated to reflect the abolition of the Texas Board of Nursing Facility Administrators. The committee's jurisdiction has been updated to reflect the change in the name of the "Interagency Council on Early Childhood Intervention Services" to the "Interagency Council on Early Childhood Intervention." The committee's jurisdiction has also been updated to reflect the complete names of the Texas Department of Health, the Texas Board of Health, and Texas State Board of Acupuncture Examiners.

Section 32. STATE, FEDERAL, AND INTERNATIONAL RELATIONS -- Jurisdiction over the newly created State Cemetery Committee and Texas Strategic Military Planning Commission have been added. The committee's jurisdiction has been updated to reflect the change in the name of the "Texas National Guard Armory Board" to the "Texas Military Facilities Commission."

Section 34. TRANSPORTATION -- The committee's jurisdiction has been updated to reflect the abolition of the Texas Turnpike Authority.

4. Specific jurisdiction over the financing of public schools and the public school system has been added to the jurisdiction of the Public Education Committee.
(Rule 3, Section 26--page 33)

Rule 4--Organization, Powers, and Duties of Committees

5. The provisions of the rules relating to bill analyses have been changed to reflect the creation of the Office of House Bill Analysis, which will be responsible for preparing official house bill analyses. The rules will expressly require the bill analysis attached to the committee report to be prepared by the Office of House Bill Analysis, and with the creation of this office, committees will no longer have a need to request an analysis from the author or sponsor. In addition, a minor modification has been made to the format of bill analyses to combine the "Background" and "Purpose" sections.
(Rule 4, Sections 7 and 32--pages 46-47 and page 61)
6. The provisions of the rules governing witness lists for committee minutes and committee reports have been changed to exempt members of the legislature from the requirement that the names of all persons who testify be listed on the witness lists. This is consistent with the long-standing provision that exempts members of the legislature, who take an oath at the beginning of each legislature, from the requirement of completing a sworn statement before testifying.
(Rule 4, Sections 18(b) and 32(b)(10)--page 52 and page 60, lines 25-26)
7. The provisions of the rules governing the content of the sworn statement that must be executed by persons who wish to testify at a committee hearing have been changed to require a single address and phone number for each witness. Previously, witnesses were required to provide up to three addresses. Also, the rules have been clarified to reflect the current practice of requiring the occupation or profession of a witness to be provided only if the witness is representing himself or herself.
(Rule 4, Section 20--page 54)
8. The provisions of the rules governing the content of the committee report form have been changed to reflect that the local calendar, consent calendar, and resolutions calendar categories have been combined into a single calendar category. *See the changes described under Rule 6.*
(Rule 4, Section 32(b)(7)--page 60, lines 18-19)

Rule 5--Floor Procedure

9. The provisions of the rules relating to floor privileges of media representatives have been clarified to reflect the current practice of allowing duly accredited media representatives only within the designated press area within the brass railing.
(Rule 5, Sections 12 and 20(d)--pages 77 and 81)
10. The provisions of the rules relating to the issuance of a pass card to duly accredited media representatives have been changed to reflect the current practice of issuance of the pass cards by the Committee on House Administration, rather than the speaker.
(Rule 5, Sections 20(c) and (e)--pages 81 and 82)
11. The provisions of the rules governing the recording of a non-record vote have been changed to eliminate the one-hour restriction for recording a non-record vote with the journal clerk. Members will now be permitted to file a non-record vote with the journal clerk at any time during that daily session of the house.
(Rule 5, Section 52--page 90)

Rule 6--Order of Business and Calendars

12. The rules have been changed to simplify the procedures used by the Committee on Local and Consent Calendars in setting a calendar by combining the local calendar, consent calendar, and resolutions calendar categories into a single calendar category. All local bills that are placed on the calendar will still require evidence of publication of notice.
(Rule 6, Sections 7, 14, 15, 21, 22-24--pages 97, 102, and 106-109)
13. A cross reference has been added to Rule 6, Section 18, to reflect the provisions implemented by the 75th Legislature that eliminated the requirement for congratulatory and memorial resolutions to be reported from committee before being placed on a Congratulatory and Memorial Calendar.
(Rule 6, Section 18--page 105)

Rule 7--Motions

No changes.

Rule 8--Bills

14. The number of copies of each bill required for filing has been increased as a result of the creation of the Office of House Bill Analysis. The Office of House Bill Analysis will receive a copy of each measure upon introduction to facilitate timely processing of all bill analyses.
(Rule 8, Section 9--page 129)

Rule 9--Joint Resolutions

No changes.

Rule 10--House Resolutions and Concurrent Resolutions

15. The number of copies of each resolution required for filing has been increased as a result of the creation of the Office of House Bill Analysis. The Office of House Bill Analysis will receive a copy of each resolution upon introduction, in the event a request is received for an analysis to be prepared on a resolution.
(Rule 10, Section 1--page 142)

16. A new provision has been added to classify as privileged resolutions authorizing technical corrections.
(Rule 10, New Section 8--page 143)

Rule 11--Amendments

17. The provisions of the rules governing amendments to measures on a calendar set by the Committee on Local and Consent Calendars have been changed to reflect that the local calendar, consent calendar, and resolutions calendar categories have been combined into a single calendar category. *See the changes described under Rule 6.*
(Rule 11, Section 4--page 145)

Rule 12--Printing

18. The provisions of the rules governing the committee report printing of a measure have been changed to reflect that the bill analysis attached to the committee report will be prepared by the newly created Office of House Bill Analysis. *See the changes described under Rule 4.*
(Rule 12, Section 1(a)(1)(B)--page 151)

Rule 13--Interactions with the Governor and Senate

19. The provisions of the rules governing fiscal notes for senate amendments and conference committee reports have been changed to reflect new procedures which will enable those fiscal notes to be accessed from the Floor Amendment System on each member's laptop computer.
(Rule 13, Sections 5(b) and 10(c)--pages 156 and 163)

Rule 14--General Provisions

No changes.